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INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Molly L. Sauter
Attn:	Tuyet Phuong Pham Luu - Art Unit 3676	Client:	1372.39
Fax:	(703) 872-9326	Pages:	13 including coversheet
Phone:	(703) 305-7421	Date:	October 5, 2004
Re:	USSN 10/604,121	CC:	University of South Florida

☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

Dear Examiner Luu:

In response to the non-final office action mailed July 6, 2004, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated October 5, 2004 (2 pages); and
2. Amendment A with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated October 5 2004 (5 pages).

Very respectfully,

Molly L. Sauter  
Reg. No. 48,457

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/604,121 Confirmation No.: 1120  
Applicants: : Albert Kabemba  
Filed: : 06/26/2003  
Art Unit : 3673  
Examiner : Tuyet Phuong Pham Luu  
  
Docket No. : 1372.39.PRC  
Customer No. : 21901  
For : Therapeutic Mattress

Faxed to Technology Center 3600 at (703) 872-9326  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is an independent inventor. A statement was already filed.

**EXTENSION OF TERM**

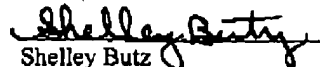
3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8 (a))

I HEREBY CERTIFY that this Amendment A, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 3673, Attn: Tuyet Phuong Pham Luu, (703) 872-9326 on October 5, 2004.

Dated: October 5, 2004

  
Shelley Butz

(Amendment Transmittal—page 1)

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col.1)			(Col. 2)	(Col. 3) SMALL ENTITY		
Claims Remaining After Amendment			Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee
Total	11	Minus	20	= 0	x \$9 =	\$0
Indep.	2	Minus	3	= 0	x \$43 =	\$0
First Presentation of Multiple Dependent Claim					+ \$145 =	\$0
Total						Addit. Fee \$0

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,
  - \*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".
  - \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

Very respectfully,

  
SIGNATURE OF PRACTITIONER

Reg. No. 46,457  
Tel. No.: (727) 507-8558

Molly L. Sauter  
Smith & Hopen, P.A.  
15950 Bay Vista Drive, Ste. 220  
Clearwater, FL 33760

(Amendment Transmittal—page 2)

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OCT 05 2004

Practitioner's Docket No.: 1372.39

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Albert Kabemba

Serial No.: 10/604,121

Filing Date: 06/26/2003

For: Therapeutic Mattress

Examiner: Luu, Tuyet  
Phuong Pham

Art Unit: 3673

Faxed to Technology Center 3600 at (703) 872-9326  
Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the nonfinal Examiner's Action mailed on July 6, 2004, the above-identified patent application is amended a first time as follows. Applicant has elected to present the amendment using the revised amendment format set forth in the waiver of 37 CFR 1.121.

AMENDMENT A

(37 C.F.R. § 1.111)